

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 28**

**IGT d/b/a INTERNATIONAL GAME
TECHNOLOGY**

and

Case 28-CA-166915

**INTERNATIONAL UNION OF OPERATING
ENGINEERS LOCAL UNION 501, AFL-CIO**

**COUNSEL FOR THE GENERAL COUNSEL'S OPPOSITION
TO RESPONDENT'S REQUEST TO RESCHEDULE HEARING**

Counsel for the General Counsel (CGC) opposes Respondent's request to postpone the hearing set for April 5, 2016,¹ in the above-captioned case. In support of this opposition, CGC states as follows:

1. A hearing date for Respondent has been set since issuance of the complaint in the above-captioned case on January 29. This provided Respondent ample opportunity to settle this case beyond the pre-trial conference held on March 23. Further, this case comes down to a single rule that CGC seeks to have Respondent disavow in a Notice to Employees as part of an informal Board Settlement Agreement. With this limited issue, there is little need for an adjournment to continue settlement discussions.

2. On March 22, CGC has subpoenaed the custodian of records and certain records through a subpoena duces tecum and Julie Doti, Respondent's Human Resources Director through a subpoena ad testificandum, serving both at Respondent's Las Vegas address and providing a copy on counsel for Respondent. CGC served a second subpoena duces tecum on Respondent's custodian of records on March 23. Respondent did

¹ All-further dates are in 2016.

not file a motion to quash either subpoena. Rather, Respondent represents that it raised the matter of witness availability at the March 23 Judge's conference and explained that "it was not feasible to coordinate their travel schedules on such a short basis." This argument ignores the fact that the subpoenas issued two weeks prior to the scheduled hearing. While Respondent has represented that Ms. Doti is located in Texas, it has done little to coordinate with CGC for her travel and appearance on April 5. Instead, Respondent has advised that it is open to coordinate producing such witnesses at a rescheduled hearing.

For the foregoing reasons, CGC urges that Respondent's request to postpone the hearing be denied.

Dated at Albuquerque, New Mexico this 1st day of April 2016.

/s/ Cristobal A. Munoz

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CERTIFICATE OF SERVICE

I hereby certify that a copy of COUNSEL FOR THE GENERAL COUNSEL'S OPPOSITION TO RESPONDENT'S REQUEST TO RESCHEDULE HEARING in IGT d/b/a INTERNATIONAL GAME TECHNOLOGY, Case 28-CA-166915 was served by E-Gov, E-Filing, and E-Mail on this 1st day of April on the following:

Via E-Gov, E-Filing:

Honorable Gerald M. Etchingham
Associate Chief Administrative Law Judge
National Labor Relations Board
Administrative Law Judge Division
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